

Warwick Soden

From: Warwick Soden
Sent: Friday, 12 October 2018 12:21 PM
To: Darrin Moy; Sia Lagos
Subject: FW: Murray Belcher

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FYI

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-----Original Message-----

From: Justice Greenwood (FCA)
Sent: Friday, 12 October 2018 12:05 PM
To: Warwick Soden < >
Subject: Re: Murray Belcher

OK. Unfortunately it is going to become a major issue. Given the fact that Queensland is the third largest State by population with a population of 4.4 million and Brisbane now has a population of 2.2 million not including the Gold Coast and the Sunshine Coast, I can't see how the position Murray applied for ought to be downgraded from the status of an SES position unless all equivalent positions are also being downgraded (which is not appropriate). And of course he ought to have it but happy to talk about these things just as I was happy to support, as you will recall, the shared services model at the national meeting of partners recently because that was in the best interest of the court just as some other things, like this, are also in the best interests of the court.

Andrew

The Hon. Justice Andrew Greenwood
Federal Court of Australia |

> On 12 Oct 2018, at 9:39 AM, Warwick Soden <Warwick.Soden@fedcourt.gov.au> wrote:

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> Dear Andrew

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> Thanks for this. I think it best for you and I to talk about the issues. I am away OS next week and back in the office 22/10. I will contact you then to see when we could talk.

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> Best Regards

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> Warwick

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> -----Original Message-----

> From: Justice Greenwood (FCA)

> Sent: Thursday, 11 October 2018 11:48 PM

> To: Warwick Soden

> Cc: Sia Lagos < >; David Pringle <

< >; Darrin Moy <

>; Louise Anderson

> Subject: Murray Belcher

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> Warwick

> I want to raise with you some apparent anomalies in the view you have expressed about the role and power of the Australian Public Service Commissioner's representative in participating in a selection process for an SES position in

a line agency. The APSC's rep does not have the power or authority to "veto" an appointment. The role of the rep is to test and challenge the views of the panel members. The governing principle under the Act is that appointments must be on merit.

> The role of the rep apart from testing the views of the panel members is to certify that the process(that is the selection process), was conducted properly. There is no suggestion here that the process was flawed. The proposition that Murray Belcher's appointment was and can be the subject of a so-called "veto" is not correct. The position he applied for is and should remain an SES position. The election not to offer him the position must be because he is not supported by the other members of the selection panel. It cannot be a function of a misplaced view that the APSC's rep can veto an appointment. If the APSC's rep is purporting to exceed the powers, rights and role under the Act and 2016 Guidelines, the Court should not accept that position. Could you let me know whether you agree or disagree with these observations. This is an important matter, S you would understand.

> J AG

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> The Hon. Justice Andrew Greenwood

> Federal Court of Australia |

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